

SEP 30 2008

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FACSIMILE: (303) 740-6962

FACSIMILE COVER SHEET

Deliver to: To, Jennifer N. USPTO

Art Group: 2195.

Facsimile No.: (571) 273-8300

Date: September 30, 2008.

From: Ashley R. Essick, Reg. No. 55,515

Our Docket No.: 42P15752

Number of pages 19 including this sheet.

Application No.: 10/663,163

Filing Date: 9/15/2003.

Docket Due Date(s): 10/13/2008.

Enclosed are the following documents:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Amendment: After Final (17 pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (pgs) | <input type="checkbox"/> Notice of Appeal (in duplicate) |
| <input type="checkbox"/> Application: (pgs) w/cover & abstract) | <input type="checkbox"/> Petition for: |
| <input type="checkbox"/> Assignment & Cover Sheet (pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate) |
| <input checked="" type="checkbox"/> Certificate of Facsimile | <input type="checkbox"/> Reply Brief (pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Declaration & POA (pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Drawings: sheets, figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: | <input type="checkbox"/> Response to Written Opinion (pgs) |
| <input checked="" type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> IDS & PTO/SB/08 (pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Transmittal Letter |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.81)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Shannon Serrano
Shannon Serrano

9/30/2008

Date

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FEE TRANSMITTAL for FY 2007

(Patent fees are subject to annual revision)

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 10/663,163
Filing Date September 15, 2003
First Named Inventor Stephen M. Bennett
Examiner Name To, Jennifer N.
Art Unit 2195
Attorney Docket No. 42P13732

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☒ Credit any overpayments

☐ Charge fee(s) indicated below, except for the filing fee

☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

FEE CALCULATION

1. EXTRA CLAIM FEES

Extra Claims	Extra Claims	Fee from below	Fee Paid
1st Extra Claim	\$8	0	\$0.00
2nd Extra Claim	\$8	0	\$0.00
3rd Extra Claim	\$8	0	\$0.00
4th Extra Claim	\$8	0	\$0.00
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98th Extra Claim	\$8	0	\$0.00
99th Extra Claim	\$8	0	\$0.00
100th Extra Claim	\$8	0	\$0.00

*or number previously paid, if greater. For Refusals, see below

SUBTOTAL (1) (\$) 0.00

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or death
1052	130	2052	25	Surcharge - late provisions filing fee or request sheet
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	210	Extension for reply within second month
1253	1,050	2253	525	Extension for reply within third month
1254	1,640	2254	820	Extension for reply within fourth month
1255	2,230	2255	1,115	Extension for reply within fifth month
1401	510	2401	255	Notice of Appeal
1402	510	2402	255	Filing a brief in support of an appeal
1403	1,030	2403	515	Request for oral hearing
1404	1,510	2404	765	Petition to institute a public use proceeding
1405	130	2405	65	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(e)
1806	180	1806	180	Submission of Information Disclosure Sheet
1809	510	1809	405	Filing a submission after final rejection (37 CFR § 1.126(d))
1810	510	2910	405	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

SUBTOTAL (2)

(\$)

SUBMITTED BY

Name (mm/Type) Ashley R. Essick

Registration No. (Attorney/Agent)

35,515

Complete (if applicable)

Telephone (303) 740-1980

Signature

Ashley Essick

Date

09/30/08

Based on PTO/SD/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 02/26/2007
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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RESPONSE UNDER 37 C.F.R. § 1.116
-- EXPEDITED PROCEDURE --
EXAMINING GROUP 2100

Our Docket No.: 42P15752

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bennett, S.

Application No.: 10/663,163

Filed: September 15, 2003

For: Optimizing Processor-Managed
Resources Based on the Behavior
of a Virtual Machine Monitor

Examiner: To, J.

Art Group: 2195

10/08/2008

OK TO ENTER: /J.T./

RESPONSE AFTER FINAL

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on August 13, 2008, which was made final, applicant submits this Amendment After Final Action for consideration.

CERTIFICATE OF FACSIMILE TRANSMISSION

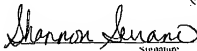
I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below:

September 30, 2008

Date of Deposit

Shannon Serrano

Name of Person Transmitting Correspondence



Signature

9/30/08

Date